

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER SHZ-024US U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/534593
INTERNATIONAL APPLICATION NO. PCT/JP03/14434	INTERNATIONAL FILING DATE 13 November 2003	PRIORITY DATE CLAIMED 13 November 2002
TITLE OF INVENTION GENES FOR INCREASING GRAIN YIELD AND USES THEREOF (As Amended)		
APPLICANT(S) FOR DO/EO/US Motoyuki ASHIKARI <i>et al.</i>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern document(s) or information included: 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/534593	INTERNATIONAL APPLICATION NO. PCT/JP03/14434	ATTORNEY'S DOCKET NUMBER SHZ-024US	
20. <input checked="" type="checkbox"/> Other items or information: Certificate of Express Mailing (1 page); Response to Notification of Missing Requirements Under 35 U.S.C. 371 (1 page); Notification of Missing Requirements (2 pages); Return Receipt Postcard			
The following fees have been submitted		CALCULATIONS	PTO USE ONLY
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a)) \$300		\$	
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0 All other situations \$200		\$	
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$400 All other situations \$500		\$	
TOTAL OF 21, 22 and 23 =		\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.			
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE
- 100 =	/50 =		x \$250.00
			\$
Surcharge of \$130 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).		\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	55 - 55 =	x	0.00
Independent claims	2 - 3 =	x	0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+	0.00
TOTAL OF ABOVE CALCULATIONS =		\$	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.			
SUBTOTAL =		\$	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).		\$	
TOTAL NATIONAL FEE =		\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		\$	
TOTAL FEES ENCLOSED =		\$	
		Amount to be refunded:	\$
		Amount to be charged	\$

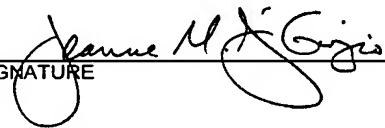
- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 12-0080 in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit
Account No. 12-0080 . A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information
should not be included on this form.** Provide credit card information and authorization on PTO-2038

**NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be
filed and granted to restore the International Application to pending status.**

SEND ALL CORRESPONDENCE TO:

Elizabeth A. Hanley
LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
(617) 227-7400

CUSTOMER NUMBER: 00959


SIGNATURE

Jeanne M. DiGiorgio
NAME

41,710
REGISTRATION NUMBER

Rec'd PCT/PTO 31 OCT 2005

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 553 867 842 US, in an envelope addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: October 31, 2005

Signature: _____

(Jeanne M. DiGiorgio)

Docket No.: SHZ-024US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Motoyuki Ashikari *et al.*

Application No.: 10/534593

Confirmation No.: 7806

Filing Date of
International Application: 13 November 2003

Art Unit: N/A

For: GENES FOR INCREASING GRAIN YIELD
AND USES THEREOF (As Amended)

Examiner: Not Yet Assigned

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371, mailed September 28, 2005, Applicant(s) respectfully submit(s) a Declaration, Petition and Power of Attorney, as well as a copy of the Notification of Missing Requirements.

Dated: October 31, 2005

Respectfully submitted,

By Jeanne M. DiGiorgio
Jeanne M. DiGiorgio
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Attorney/Agent For Applicant



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO. -10/534,593	FIRST NAMED APPLICANT Motoyuki Ashikari	ATTY. DOCKET NO. SHZ-024US
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INTERNATIONAL APPLICATION NO.

PCT/JP03/14434

I.A. FILING DATE 11/13/2003	PRIORITY DATE 11/13/2002
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959
 LAHIVE & COCKFIELD, LLP.
 28 STATE STREET
 BOSTON, MA 02109

ENTERED

DOCKETED

Nov. 28, 2005 missing Ref.
April 28, 2006 ESP

CONFIRMATION NO. 7806

371 FORMALITIES LETTER



OC000000017111028

Date Mailed: 09/28/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/11/2005
- English Translation of the IA filed on 05/11/2005
- Preliminary Amendments filed on 05/11/2005
- Information Disclosure Statements filed on 08/12/2005
- Biochemical Sequence Diskette filed on 05/11/2005
- Biochemical Sequence Listing filed on 05/11/2005
- U.S. Basic National Fees filed on 05/11/2005
- Priority Documents filed on 05/11/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

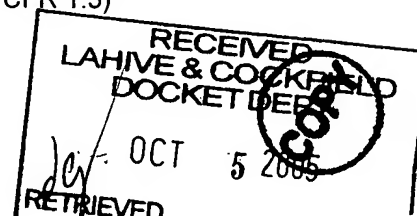
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.



SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/534,593	PCT/JP03/14434	SHZ-024US

FORM PCT/DO/EO/905 (371 Formalities Notice)

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV 553 867 842 US in an envelope addressed to:

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on October 31, 2005
Date


Signature

Jeanne M. DiGiorgio

Typed or printed name of person signing Certificate

41,710
Registration Number, if applicable

(617) 227-7400
Telephone Number

Note : Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal Letter to the United States Designated-Elected Office (3 pages)
Response To Notification Of Missing Requirements Under 35 U.s.c. 371 In
The United States Designated/elected Office (1 page)
Notification of Missing Requirements (2 pages)
Declaration, Petition and Power of Attorney (4 pages)
Return Receipt Postcard